



Express Mail # EJ077703924US dated Oct. 20, 2000

HON. COMMISSIONER OF PATENTS & TRADEMARKS
WASHINGTON, D.C. 20231

SIR: **09/673746** PCT/DE99/01185 P00,1725

PLEASE APPLY A RECEIPT STAMP HERETO AND MAIL TO
ACKNOWLEDGE RECEIPT OF THE ATTACHED: International appli-
cation as filed; drawings attached;
English translation; substitute pages
Executed Declaration, change of add-
ress of ~~applicant~~ representative;

Klaus Wehrend
APPLICANT

Oct. 20, 2000

MAILING DATE

M. Bergner due:

Oct. 20, 2000

appointment of associate power of
attorney; PTO 1390 in duplicate;
Amendment "A" prior to action; IDS,
PTO 1449, ^{REFERENCE NUMBER} search report, references;
Drawing modifications, 3 sheets of
drawings, Figs. 1-3, fee: \$860.00

SCHIFF HARDIN & WAITE

534 Rec'd PCT/PTG 20 OCT 2000

RECEIVED

JUL 28 2004

Technology Center 2600



S&H Form: (10/03)

2667

\$

**REPLY/AMENDMENT
FEE TRANSMITTAL**

Attorney Docket No. 1454.1280

Application Number 09/673,746

Filing Date October 20, 2000

First Named Inventor Klaus WEHREND

Group Art Unit 2667

RECEIVED

AMOUNT ENCLOSED

0.00

Examiner Name

Prenell P. Jones

JUL 28 2004

FEE CALCULATION (fees effective 10/01/03)

Technology Center 2600

CLAIMS AS AMENDED	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra	Rate	Calculations
TOTAL CLAIMS	19	- 20 =	0	X \$ 18.00 =	\$ 0.00
INDEPENDENT CLAIMS	1	- 3 =	0	X \$ 86.00 =	0.00

Since an Official Action set an original due date of July 23, 2004, petition is hereby made for an extension to cover the date this reply is filed for which the requisite fee is enclosed (1 month (\$110); 2 months (\$420); 3 months (\$950); 4 months (\$1,480); 5

If Notice of Appeal is enclosed, add (\$330.00)

If Statutory Disclaimer under Rule 20(d) is enclosed, add fee (\$110.00)

\$ 110.00

Information Disclosure Statement (Rule 1.17(p)) (\$180.00)

Total of above Calculations =

\$ 0.00

Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27 & 1.28)

TOTAL FEES DUE =

\$ 110.00

(1) If entry (1) is less than entry (2), entry (3) is "0".

(2) If entry (2) is less than 20, change entry (2) to "20".

(4) If entry (4) is less than entry (5), entry (6) is "0".

(5) If entry (5) is less than 3, change entry (5) to "3".

METHOD OF PAYMENT

☒ Check enclosed as payment.

☐ Charge "TOTAL FEES DUE" to the Deposit Account No. below.

☐ No payment is enclosed and no charges to the Deposit Account are authorized at this time (unless specifically required to obtain a filing date).

GENERAL AUTHORIZATION

☒ If the above-noted "AMOUNT ENCLOSED" is not correct, the Commissioner is hereby authorized to credit any overpayment or charge any additional fees necessary to:

Deposit Account No.

19-3935

Deposit Account Name

STAAS & HALSEY LLP

☒ The Commissioner is also authorized to credit any overpayments or charge any additional fees required under 37 CFR 1.16 (filing fees) or 37 CFR 1.17 (processing fees) during the prosecution of this application, including any related application(s) claiming benefit hereof pursuant to 35 USC § 120 (e.g., continuations/divisionals/CIPs under 37 CFR 1.53(b) and/or continuations/divisionals/CPAs under 37 CFR 1.53(d)) to maintain pendency hereof or of any such related application.

SUBMITTED BY: STAAS & HALSEY LLP

Typed Name Richard A. Gollhofer

Reg. No. 31,106

Signature

Richard A. Gollhofer

Date

7/23/04

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Docket No.: 1454.1280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Klaus WEHREND

Serial No. 09/673,746

Group Art Unit: 2667

Confirmation No. 3795

Filed: October 20, 2000

Examiner: Prenell Jones

For: NETWORK SWITCHING UNIT FOR A COMMUNICATION SYSTEM

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RESPONSE UNDER 37 C.F.R. § 1.111

JUL 28 2004

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Technology Center 2500

Sir:

This is in response to the Office Action mailed April 23, 2004, and having a period for response set to expire on July 23, 2004. In the Office Action, the Examiner noted that claims 1-19 were pending in the application; objected to the specification; rejected claims 1-5 under the judicially created doctrine of obviousness-type double patenting; and objected to claims 6-19 as dependent from a rejected based claim. These objections and rejections are traversed below.

In paragraph 1 on page 2 of the Office Action, the Examiner objected to the disclosure due to a reference to a specific claim on page 3, line 7. However, the Amendment "A" filed upon entering the national phase on October 20, 2000 replaced line 7 of page 3 with text that did not include reference to a claim. Since this change apparently was not made to line 7 on page 3, it is uncertain whether any of the other changes requested in the Amendment "A" were made. Therefore, submitted herewith is a copy of Amendment "A" and the postcard receipt indicating that Amendment "A" was received when the application was filed. It is respectfully requested that all of Amendment "A" be entered and the objection to the specification withdrawn.

In paragraph 3 on page 2 of the Office Action, claims 1-5 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 12-14 of U.S. Patent No. 6,553,024. A Terminal Disclaimer is submitted herewith to overcome this rejection. Withdrawal of the rejection and an early Notice of Allowance are earnestly solicited.

Serial No. 09/673,746

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 7/23/04

By: Richard A. Gollhofer
Richard A. Gollhofer
Registration No. 31,106

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

